

EXHIBIT 5

1 UNITED STATES DISTRICT COURT

2 FOR THE WESTERN DISTRICT OF NEW YORK

3 -----
4 **BLACK LOVE RESISTS IN THE RUST, et al.,**
5 **individually and on behalf of a class of**
6 **all others similarly situated,**

7 Plaintiffs,

8 -vs-

1:18-cv-00719-CCR

9 **CITY OF BUFFALO, N.Y., et al.,**

10 Defendants.
11 -----

12 **DEPOSITION OF DERRICK BANASZAK**

13 **Taken pursuant to Rule 30(b)(6)**

14 **of the Federal Rules of Civil Procedure**

15 APPEARING REMOTELY FROM

16 BUFFALO, NEW YORK

17 January 24th, 2024

18 At 9:30 a.m.

19 Pursuant to notice

20
21 REPORTED BY:

22 Rebecca L. DiBello, RPR, CSR(NY)

23
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R E M O T E A P P E A R A N C E S

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APPEARING FOR THE DEFENDANTS:

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ALSO PRESENT:

ANDREW TIMMICK, ESQ.,
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A. CHINYERE EZIE, ESQ.,
Center for Constitutional Rights

ANJANA MALHOTRA, ESQ.,
National Center for Law
and Economic Justice

CLAUDIA WILNER, ESQ.,
National Center for Law
and Economic Justice

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~~DERRICK BANASZAK~~

1 might be relevant here?

2 MR. SAHASRABUDHE: Yes.

3 MR. JOACHIM: Okay.

4 Q. Let's move on to training then. Has BPD ever
5 conducted diversity and sensitivity training?

6 A. Yes.

7 Q. And during what time periods?

8 A. I can only speak to the time that I've been
9 here, so at least since 2001 I'm aware of.

10 Q. And how often was diversity and sensitivity
11 training offered since 2001?

12 A. I would have to say that as each individual
13 topic became another topic, that's when it was
14 refreshed and then given out again. Again, in
15 my career it was -- it started out as cultural
16 sensitivity. Then it became racial
17 sensitivity. It became some part of ABLE
18 training.

19 It also then became Procedural Justice 1
20 and 2 and now it's called implicit bias, so
21 it's existed in some shape or form as long as
22 I've been an officer.

23 Q. And is that training offered regularly or when

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